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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,013	02/08/2002	Gang Zha	00-SZ-106	8843

30422 7590 04/30/2003
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EXAMINER

MOTTOLA, STEVEN J

ART UNIT PAPER NUMBER

2817

DATE MAILED: 04/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,013

Applicant(s)

Zha, Ng

Examiner

Mottola

Group Art Unit

2817

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 111; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-15 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 10-13 is/are allowed.
- ☒ Claim(s) 1-9, 14 is/are rejected.
- ☒ Claim(s) 15 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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The disclosure is objected to because of the following informalities: throughout the specification and claims the term "current potential" is utilized. This is confusing since 'potential' is usually associated with voltage rather than current.

Appropriate correction is required.

Claims 5-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

On line of each of page 19 and 20, which are respectively in the last paragraph of claims 5 and 6, the phrase "both transistor and transistor" prevents a proper reading of the claim since it is unclear which transistor(s) are being referenced.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Fattaruso.

Refer to fig. 7 of Fattaruso. An input differential pair M11,M12 may be read as the input stage of claim 1, with M11,M12 read as the first and second transistors of claim 2. Transistors Mf1,M21 each generate an output signal and may be read as the output stage of claim 1. The signal from M21 may be read as the second feedback signal since it is fed back via capacitor 16.

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Then current mirror stage M13,M14 may be read as the gain stage of claim 1. It is connected to both the input and output stages as defined above and an equal "current potential" should be available at stage outputs CN1,CN2 as long as the transistors are matched. Regarding claim 2, the transistors M11,M12 are read as the first and second transistors claimed as noted above, and they are connected as claimed in the last paragraph of the claim. Current source I1 of Fattaruso may be read as the like element claimed. Regarding claims 3-4, transistors M13,M14 form a current mirror as claimed and may be read as the third and fourth transistors claim 3 or the first and second transistors of claim 4. They are connected as in the last paragraph of the claim. In re claim 14, the input, output and gain stages may be read on the reference in the same manner as for claim 1 above. A voltage potential $V_{dd}-V_{ss}$ is applied across the amplifier as claimed. Regarding the resistive element claimed to be between the first output and a voltage potential, in Fattaruso the first output would be read on the drain of Mf1 and it is connected to a potential V_{dd} via an enhancement mode FET M23 which is a "resistive element" as claimed in that it has a channel conductance; see col. 6, last paragraph of Fattaruso. Note that a certified translation of the supplied priority document would remove the 'bar' under 35 U.S.C. 102(b) , but that the reference would still be applicable under 35 U.S.C. 102(e).

Claims 10-13 are allowed. The first and second feedback resistors of claim 10 are not shown in the prior art of record in the context claimed.

Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any


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intervening claims. This is a single limitation claim, and the coupling claimed is not shown in the prior art of record in the context claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Mottola whose telephone number is 703-308-4914. The examiner can normally be reached on M-Th from 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Pascal, can be reached on (703) 308-4909. The fax phone number for the organization where this application or proceeding is assigned is .

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


Steven J. Mottola
Primary Examiner